

DRAFT
MINUTES OF THE CITY COUNCIL
OF THE
CITY OF GREENSBORO, N. C.

REGULAR MEETING:

19 MAY 1998

The City Council of the City of Greensboro met in regular session at 6:00 p.m. on the above date in the Council Chamber of the Melvin Municipal Office building with the following members present: Mayor Carolyn S. Allen, presiding; Councilmembers Claudette Burroughs-White, Sandra G. Carmany, Keith A. Holliday, Yvonne J. Johnson, Earl F. Jones, Nancy Mincello, Robert V. Perkins and Donald R. Vaughan. Absent: None. Also present were J. Edward Kitchen, City Manager; Jesse L. Warren, City Attorney; and Juanita F. Cooper, City Clerk.

The meeting was opened with a moment of silence and the Pledge of Allegiance to the Flag.

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The Manager recognized Chris Blackwell, employee in the Environmental Services Department, who served as courier for the meeting.

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Mayor Allen outlined the Council procedure for Conduct of the meeting.

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Mayor Allen stated that this was the time and place set for a public hearing set to consider an ordinance rezoning from RS-12 Residential single Family to Conditional Use-RM-8 Residential Multifamily for property located on the north side of Joseph M. Bryan Boulevard west of Horse Pen Creek Road. She advised this matter had received a 3-0-1 vote of the Zoning Commission to recommend approval of the rezoning. Mayor Allen administered the Oath to those present in the Chamber who wished to speak to this matter.

C. Thomas Martin, Acting Planning Director, provided the following staff presentation:

REQUEST:

This request is to rezone property from RS-12 Residential Single Family to Conditional Use – RM-8 Residential Multifamily.

The RS-12 District is primarily intended to accommodate single family detached dwellings at a density of 3.0 units per acre or less.

The RM-8 District is primarily intended to accommodate duplexes, townhouses, cluster housing, and similar residential uses at a density of 8.0 units per acre or less.

CONDITIONAL USE CONDITIONS FOR THE REQUESTED ZONING DISTRICT

- 1) All uses permitted in the RM-8 Zoning district.
- 2) Road Dedication and Improvements:
 - a) A maximum of one (1) site access driveway shall be constructed on New Service Road
 - b) Developer shall provide one (1) northbound left turn lane on Horse Pen Creek Road at New Service Road, as shown in Figure 15 of the Traffic Impact Study prepared by Ramey Kemp and Associates.
 - c) All of the above improvements and designs shall conform to GDOT and NCDOT design standards.
 - d) Developer will construct a raised island on New Service Road to prohibit left turns from New Service Road onto Horse Pen Creek Road.
 - e) Along the frontage of New Service Road and along the common property line between the subject property and the Sullivan's Lake Townhouse Development, the rate of shrub planting and minimum caliper of canopy trees shall be doubled (34 per 100 and 4", respectively).
 - f) Developer shall control storm water runoff from all proposed built-upon areas and other new development on the site through the use of wet detention ponds or other best management practices meeting performance standards set forth in the city of Greensboro Watershed Protection regulations.
- 3) Other:
 - a) Maximum of 138 units.
 - b) Buildings shall be constructed of wood frame material with brick accents.
 - c) No buildings shall exceed two (2) stories in height.
 - d) All street and other lighting shall be in harmony with the buildings constructed therein and shall be sufficient to provide adequate security for the inhabitants without disturbing adjoining property owners.
 - e) Along the frontage of new Service Road and along the common property line between the subject property and the Sullivan's Lake Townhouse Development, the rate of shrub planting and minimum caliper of canopy trees shall be doubled (34 per 100 and 4", respectively).
 - f) Developer shall control storm water runoff from all proposed built-upon areas and other new development on the site through the use of wet detention ponds or other best management practices meeting performance standards set forth in the City of Greensboro Watershed Protection regulations.

DESCRIPTION OF THE PROPERTY, SURROUNDING LAND USE AND ZONING

This property consists of approximately 17.3 acres and is located on the north side of Joseph M. Bryan Boulevard west of Horse Pen Creek Road.

	Zoning	Land Use
Subject Property	RS-12	2 single family dwellings & vacant land
North	CU-RM-5	Sullivan's Lake Townhouses
East	RS-12	St. Paul the Apostle Catholic Church & 2 single family dwellings
South	RS-40	Joseph M. Bryan Boulevard
West	RS-40	Vacant land

Mr. Martin stated that the Planning Department recommended denial of the request and that the Zoning Commission had voted to recommend its approval. He thereupon provided a slide presentation of the property and surrounding area.

After Councilmember Perkins stated that his employer had a direct financial interest in this matter, the City Attorney advised that Councilmember Perkins should not participate in discussion and should abstain from voting on this matter.

The Mayor asked if anyone wished to speak to this matter.

Henry Isaacson, 101 West Friendly Avenue, representing the developer of the property, Portrait Homes, 4411 West Market Street, requested the Council to add the following condition to the proposed ordinance: 2) e) Subject to the Sullivan's Lake Property Owners Association granting necessary easements, developer will, at its expense, construct underground connections of the storm sewer outfalls from the subject property to the existing storm sewer system of Sullivan's Lake. Additionally, the developer will provide yard inlets at each connection. This condition is contingent upon the necessary easements being granted in a timely fashion so that the developer can make the underground connections in conjunction with its other site development activities. In the event developer is able to locate the storm detention facility for the subject property to an off-site location this condition will be null and void. Councilmember Vaughan moved that the condition be added to the proposed ordinance. The motion was seconded by Councilmember Jones and adopted unanimously by voice vote of the Council.

Mr. Isaacson provided a history of the property and detailed earlier requests for its rezoning. He stated that the proposed ordinance was tailored to address objections to these earlier rezoning requests; i.e., density, water runoff and traffic concerns. Mr. Isaacson offered for Council's consideration an affidavit offered by Paul Holst, Greensboro Division Manager of Portrait Homes Construction Company, which advised the development would consist of townhomes for sale. After Council briefly discussed whether this affidavit could be considered, the City Attorney advised that this provision was not included in the list of conditions contained

in the proposed ordinance and that for the purpose of this rezoning request, Council must consider all uses allowed under the requested zoning.

Dick Douglas, residing at 2053 Pleasant Ridge Road, representing St. Paul's Church, noted that the church shared a common boundary with this property. He stated after reviewing the developer's proposal, the church supported the rezoning request and felt this development would be an asset to the community. Mr. Douglas responded to Council inquiries with respect to traffic congestion in the area and offered his thoughts with respect to home ownership.

Robert S. Kischinger, residing at 4609 Dundas Drive, representing Evans Engineering, provided a map of the area for illustrative purposes. He spoke to the following: the topography of the property proposed for development and the surrounding area, the drainage features at Sullivan's Lake which would allow the developer access to that drain system, the meetings with homeowners in Sullivan's Lake to discuss concerns and detailed plans already reviewed by City staff which would be used by the developer to address water runoff in compliance with Greensboro's watershed ordinance. Mr. Dischinger outlined plans to use a pond to control runoff from the proposed development using the drain system at Sullivan's Lake, and emphasized that the developer's plans to implement measures to address any water runoff problems in the area would not have a negative impact on Sullivan's Lake but would decrease the actual runoff into the backyards of the lower lying properties. Council discussed at length with Mr. Kischinger various opinions and concerns with respect to development of this property; i.e., water runoff, sedimentation, retention ponds, the proposed tie-in to the Sullivan's Lake drainage system, the impact this would have on the Sullivan's Lake properties and retention pond, etc.

Paul Holtz, residing at 5411 Troyhill Drive, spoke to the proposed development and described other similar developments by Portrait Homes. Council discussed with Mr. Holtz the street system proposed for the development, whether an appraisal had been conducted with respect to the impact the proposed development would have on surrounding property values, etc. Citing the developer's interest in appropriately addressing water runoff, Mr. Holtz asked that Council consider an additional amendment to the proposed ordinance: "Developer will survey Sullivan's Lake pond prior to development; when development is stabilized, developer would remove any silt that has been contributed above the existing level up to the point the development is turned over to the Homeowners Association". Councilmember Vaughan moved that the condition be added to the proposed ordinance. The motion was seconded by Councilmember Johnson and adopted unanimously by voice vote of the Council.

Robert Marks, residing at 2610 Spring Bridge Circle in Sullivan's Lake, spoke in opposition to the proposed rezoning. He described the topography of the property proposed for rezoning and advised Sullivan's Lake was located downhill and adjacent to this property; he spoke to residents' efforts to address existing water runoff. Mr. Marks spoke to meetings with development representatives but stated he was unaware of permission for easements being given for the developers to use the Sullivan's Lake drainage system and detailed water runoff problems already experienced by Sullivan's Lake residents. He expressed concerns with respect to the proposed development; i.e., density and type of development, the increase in water runoff, the responsibility for the combined drainage system, the increase in existing traffic

congestion/problems on the service road and in the general area, and the adverse impact this development would have on the community. Approximately 20 residents were present in the Chamber in opposition to this development.

Rosemary Stadler, residing at 2805 Waters Edge Lane, provided pictures for illustrative purposes, to demonstrate the negative impact on area property created by water runoff. She stated that she was opposed to the density of the proposed development.

Bob Siller, residing at 4206 Sullivan's Lake Drive, spoke in opposition to the rezoning. He provided a history of the residents' efforts to revitalize their community, expressed concern with the proposed development, stated that the retention pond proposed would be near their neighborhood and the negative impact on the area could not be determined, and emphasized that the residents in the area believed this development would negatively impact the area.

Thomas Ashcraft, residing at 4415 Lake Walk Drive, expressed concern that the proposed development would significantly increase existing traffic congestion in the area.

Ramey Kemp, Ramey Kemp and Associates, Traffic Engineer, residing at 4928A Windy Hill Drive, used a map to illustrate the roadway system in the area, and detailed proposed roadway improvements to be made by the shopping center owner in the area which would greatly improve traffic conditions in the area. He spoke to the traffic pattern in the area, the signal cycle, and detailed traffic statistics which determined the intersection of Horse Pen Creek Road and New Service Road to operate at an overall level of service A.

Dorothy Rotman, Springhouse Place, spoke in opposition to the rezoning. She spoke to efforts of Sullivan Lakes' residents to address water runoff problems in the area and expressed concern that development of this property would remove trees and increase water runoff for their neighborhood.

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The Mayor declared a recess at 7:55 p.m.

The City Council re-convened at 8:07 p.m. with all Council members present.

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Mayor Allen administered the oath to Robert Coke, residing at 2939 Martha's Place. He expressed concern with respect to the negative impact the density of the proposed development would have on area traffic problems.

Kenneth King, Greensboro Department of Transportation, stated that staff was concerned with the traffic problems in the area. He detailed the traffic patterns in the area, spoke briefly to roadway configurations in the area, stated the proposed roadway improvements would provide some improvement in area traffic; he advised that because of lack of information staff could not

accurately predict the level of service for this area but stated staff had problems with the analysis that predicted this intersection would operate at Service level A.

Mr. Martin provided the following staff recommendation:

The Planning Department recommends that this request be denied. An attempt to rezone this property to Conditional Use – RM-12 was denied by the City Council in May 1997. This current request is not consistent with a publicly stated Planning Department recommendation. As part of its New Garden Road recommendations, staff felt that this property should be developed as low density residential at 5 units per acre or less. Such a density would be compatible with Sullivan's Lake in terms of number of units. Staff feels that this is a poor site to encourage moderate to higher density residential land use.

From a transportation standpoint, this is also a poor site to encourage higher density development. The access road serving this property is close to the Horse Pen Creek Road/New Garden Road intersection which is the most critical and vulnerable intersection in this extended area. Horse Pen Creek Road has a problem with traffic backing up from the intersection on the north approach during peak periods. Higher density residential development will exacerbate this situation which will be further compounded by the shopping center at the northeast intersection of Horse Pen Creek Road and New Garden Road.

GDOT has reviewed a Transportation Impact Study submitted in conjunction with this rezoning request. The TIS fails to provide sufficient technical information for GDOT to conclude that the rezoning and development of the subject property will not damage the safety and operating conditions in this area.

Planning staff agrees that there are serious traffic issues that have not been resolved but emphasizes that this proposal is not compatible with surrounding development and thus recommends the request be denied.

Council discussed various opinions and concerns with respect to the proposed rezoning and development of this property; i.e., the issue of increased water runoff in the area adjacent to this property and the manner in which this problem would be appropriately addressed, the manner in which the development would address increased sedimentation which might develop in the Sullivan's Lake detention pond, whether the development would adversely impact the adjacent property, and the existing traffic problems and the potential for increased traffic problems. Council also discussed various conditions contained in the proposed ordinance, development which would be allowed under the existing zoning, the density of the proposed development with respect to other area development, whether the development would impact the value of surrounding properties, various details regarding undeveloped properties in the area and the process by which access could be provided to those properties, etc.

After lengthy discussion, Councilmember Vaughan expressed concern that staff had not had the opportunity to review information provided by Evans Engineering; he thereupon moved to close the public hearing and continue this item without further advertising to the June 16 meeting of Council to enable Environmental Services Department staff to review the information

from Evans Engineering. The motion was seconded by Councilmember Mincello and adopted unanimously by voice vote of the Council.

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Mayor Allen stated that this was the time and place set for a public hearing for the College Road Corridor Plan. The Mayor asked if anyone wished to speak to this matter.

Mr. Martin advised this was the third corridor study development for the City by Drs. D. Gordon Bennett and Keith G. Debbage of the Geography at UNCG. He stated the Study had received favorable recommendation by the Planning Board.

Dr. Debbage reviewed the purpose for the Study, detailed the property contained in the Corridor, spoke to the public meetings that had been held to receive citizens' input and stated the Corridor study was based on 10 years of data involving transportation and zoning trends , including input from citizens, City departments, and feedback from developers and property owners. Dr. Debbage stated the Plan would assist the governing body in considering future requests and would provide a rationale for future decision making. He reviewed in detail development trends, zoning patterns, acreage, and other details with respect to Subcorridor A- New Garden Road/College Road, Subcorridor B-Guilford College Road north of I-40, and Subcorridor C-Guilford College Road south of I-40 which are contained in the Corridor Plan.

Dr. Bennett described the properties contained in each of the subcorridors and provided a detailed overview of recommendations for each with respect to roadway improvements, zoning, and property uses.

Elizabeth Hedgecock, residing at 700 Joe Drive, High Point, NC, representing Hedgecock Builders Supply and owner of 32 acres of unused land in the corridor, stated the purchase of this property had been expensive, and expressed concern with the Plan's recommendation that this property located near their company should be used as a park for children.

Jim Hedgecock, residing at 104 Guilford College Road, explained his inability to participate in this Corridor Plan study, spoke to his participation in an economic development study by High Point, expressed some concerns with respect to some of the corridor study recommendations, and stated he believed some of the recommendations could have been addressed through zoning patterns already in place.

Garth Payne, residing at 221 College Road, spoke in support of Hedgecock Builders Supply, reviewed the zoning changes that had taken place in the area, and advised the area was now less desirable as a residential area.

The Mayor and Council commended Drs. Bennett and Debbage for the quality of the study. They discussed various opinions with respect to the plan.

Councilmember Mincello moved adoption of the resolution accepting the Guilford College Road Corridor Study and generally supporting the strategic planning concepts to be used as a guide for future development. The motion was seconded by Councilmember Vaughan; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, Mincello, Perkins and Vaughan. Noes: None.

110-98 RESOLUTION ACCEPTING THE GUILFORD COLLEGE ROAD CORRIDOR STUDY AND GENEREALLY SUPPORTING THE STRATEGIC PLANNING CONCEPTS TO BE USED AS A GUIDE FOR FUTURE DEVELOPMENT

WHEREAS, the City Council has approved City funding for three Corridor Studies including: (1) Pisgah Church/Lees Chapel Road; (2) Freeman Mill Road/ Coliseum Boulevard/U.S. 220; and (3) Guilford College Road;

WHEREAS, the Guilford College Road Corridor Study Final Report was presented at a joint Planning Board / Zoning Commission Public Hearing on April 15, 1998;

WHEREAS, the Zoning Commission voted 4-0 to acknowledge receipt of the Guilford College Corridor Study Plan and forward it without recommendation;

WHEREAS, the Guilford College Road Corridor is a largely residential corridor which is a key north-south thoroughfare that connects northwest Greensboro with southwest Greensboro;

WHEREAS, the corridor study which has been submitted focuses on the Guilford College Road Corridor which is a residentially based, urban corridor in which, due to the changing land use patterns in the area, has resulted in increased traffic volume and development pressures;

WHEREAS, the study examines in detail existing land use patterns, housing characteristics, transportation, retail/office/industrial center, social environmental issues and makes certain recommendation with respect to corridor-wide and sub-corridor areas;

WHEREAS, it is deemed in the best interest of the City to accept said report, approve the concepts included therein and generally use the plan as a guide for future corridor improvements and enhancements.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Guilford College Road Corridor Study is hereby accepted in general including the overall strategic planning concepts to be used as a guide for future development.

(Signed) Nancy Mincello

(A copy of the Executive Summary, Guilford College Road Corridor Study, reviewed by Dr. D. Gordon Bennett and Dr. Keith G. Debbage, Department of Geography, UNCG, is filed in

Exhibit Drawer M, Exhibit Number 3, which is hereby referred to and made a part of these minutes.)

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The Mayor declared a recess at 9:30 p.m.

The Council re-convened at 9:48 p.m. with all members present.

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The Mayor stated that this was the time and place set for a public hearing for the 1998-99 Annual Budget. Mayor Allen asked if anyone wished to speak to this matter.

Council briefly discussed the time limits to be allowed for the 20+ citizens who wished to speak to the budget and thereupon adopted a motion to allow three minutes per speaker. It was also suggested that citizens be grouped by certain topics.

The following speakers spoke to the CIP Budget:

Jack Almon, residing at 3106 Collier Drive, speaking on behalf of Lindley Park Neighborhood Association, requested Council to approve the funding for improvements for this area included in the 98-99 Budget.

Nettie Coad, residing at 706 Martin Luther King Jr. Drive, requested Council to include funding for Streetscape projects on Martin Luther King Jr. Drive.

Council discussion ensued regarding the reasons why, in accordance with Council's directions, funding previously allocated for the widening of Martin Luther King Jr. Drive was not used to fund Streetscape improvements. After further discussion, the Manager advised if Council so directed that the Streetscape improvements be made, funds were available when an appropriate amount had been determined.

The following speakers spoke to Transit Related Issues:

Chary Curtis, residing at 1414 East Cone Boulevard, expressed concern with respect to the proposed rate increase for SCAT transportation; she stated she believed this increase would be a hardship for the disabled patrons.

Stan Sprague, residing at 1105 Meade Drive, a bus commuter, requested that instead of approving the requested increase in bus fares, the Council consider reducing the bus fares to provide assistance to thousands of families who depend on public transportation. Mr. Sprague also spoke to the purchase of the Brown property to provide parking for car owners and reviewed various ways in which the City provides support to car owners; i.e., parking garages, subsidized

parking, new parking lots, etc. He stated he believed increased bus ridership would provide a long term benefit to the City.

Councilmember Jones requested information from Winston-Salem and Raleigh regarding transit funding sources, including City contributions.

Laura Linder, residing at 500 East Lake Drive, representing Citizens for Responsible Government, spoke in support of additional funding to improve the transit services by providing lower bus fares, additional van service, Sunday services, night service, etc.

After Pat Pate, Budget and Evaluation Department Director, spoke to the actual funds contained in the proposed 1998-99 budget for transit operations in the city, the Manager stated the budget contained no reduction in funds for transit and advised Libby James, Greensboro Transit Authority, would address concerns at Council's upcoming budget workshop.

Sherry Kelly, residing at 117 Homewood Avenue, spoke in support of the Ole Asheboro Neighborhood requests. She also requested Council to provide additional funding create an adequate transportation system for the community that would be accessible to all citizens, including disabled citizens, college students, etc.

Mable Scott, residing at 1222 Martin Luther King Jr. Drive, requested Council to allocate additional funds to provide suitable transportation for residents. She requested the Council to reduce charge for monthly bus passes to \$30.00, that transit services include Sunday service and late line services, that patrons be allowed to use bus passes for late line services, and stated that additional vans were not needed at this time.

Lechia Hawkins, residing at 1804 Carlton Avenue, spoke in favor of night bus services to provide transportation for swing shift workers, third shift workers, etc. She requested that the charge for monthly passes be reduced and that these passes be accepted for night line services.

Dorothy Brown, residing at 603 Julian Street, requested Council to provide additional funds for transportation services to provide additional services; she also stated that Sunday transit services were needed. Ms. Brown stated that, in her opinion, if the bus fares were decreased, ridership would increase.

The following citizens spoke to Greensboro Community Television:

Karen Toering, 211 North Greene Street, requested City Council to continue funding for public access in the amount of \$100,000 for maintenance and operation of the facility. She spoke briefly to the franchise agreement which had provided original funding for three years; Ms. Toering advised that if funding was not received, GCTV would have to reduce the level of service to Greensboro citizens. She also spoke to the purposes for which this money would be used; i.e., training, outreach, programming, etc.

Council discussed at length with Ms. Toering GCTV's unsuccessful attempts to obtain funding from Guilford County, the manner in which requests from County residents would be

processed if any services were to be provided at all, the franchise agreement provisions, GCTV's fundraising efforts, etc. She further advised that the GCTV signal was being received by County residents.

Laura Linder, residing at 500 East Lake Drive, spoke to the funding provided by the franchise agreement and to GCTV's unsuccessful efforts to secure funding from Guilford County. She detailed GCTV's fundraising activities; i.e., annual campaign, grant writing efforts, in-kind donations to reduce operating costs, etc. She spoke to the manner in which County requests would be addressed, if possible, by charging fees, etc. In response to Council inquiries, she advised that if this requested funding was not received, GCTV would be forced to cut services, training, etc.

Gary Kenton, residing at 606 Park Avenue, spoke to public access programming, expressed disappointment with lack of support from Guilford County, and urged Council to continue its financial support.

Dale Hicks, 407 South Mendenhall Street, offered a video which detailed the work of Gideon's Army for Council to view at a later time. He spoke to the services provided to Greensboro citizens, spoke to the time and effort of the organization to remove people from prison and provide training, and requested Council to substantially increase funding to enable Gideon's Army to continue its work.

Wayne White, residing at 708 Sampson Street, founder of Architectural Salvage of Greensboro, spoke to the successful efforts of this volunteer group and its successful partnering with the community. He stated that because this group was being displaced by the proposed multi-modal facility, they were requesting a rental subsidy to assist in relocating to 300 Bellemeade Street. Council indicated that this matter might be discussed at an upcoming budget workshop.

Robert Koch, residing at 2939 Martha's Place, recommended that the City Council not provide funding for Downtown Greensboro, Inc. He expressed his belief that in order to have a viable downtown area regulations should be changed to allow citizens to live downtown and a solution to parking problems would have to be developed. He offered suggestions to ensure that downtown parking garages would operate more successfully; i.e., lower parking rates, provide better lighting, etc.

After brief discussion, the Manager encouraged Mr. Koch to share his ideas with Ed Wolverton of the downtown study committee.

The following citizens spoke to the Ole Asheboro Street Neighborhood requests:

Dorothy Beard, residing at 806 Broad Avenue, spoke in support of the Ole Asheboro Street Neighborhood's proposal to make positive changes in the area.

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The Mayor declared a recess at 11:09 p.m.

The City Council re-convened at 11:21 p.m. with all members present.

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John Saunders, residing at 1027 Pearson Street, spoke in support of funding for the Ole Asheboro Street Neighborhood proposal.

Celestine Simmons, residing at 1028 Pearson Street, spoke to the funding by Human Services of a pilot program for the area which had been unsuccessful. She requested Council to provide funding for Ole Asheboro Street Neighborhood proposal to enable the residents to continue their work to revitalize the neighborhood.

Moses Scott, residing at 122 Martin Luther King Jr. Drive, spoke to his successful participation/training in the Gate City CDC construction classes; he also expressed concern with respect to the expression of community concerns regarding the Gate City CDC.

Estella Johnson, residing at 5818 Bayleaf Lane, representing Gate City CDC, spoke to the work of the organization, advised the Community Resource Board had recommended the CDC funding, and requested Council to support the request for funding.

Carolyn Williams, residing at 619 Watson Street, spoke to the successful work of Gate City CDC in providing training to Greensboro citizens and requested City Council to continue to provide funding support for this organization.

Suzi McCann, residing at 1115 Highland Avenue, representing Glenwood Community Watch, urged Council to support the Police Department's request for additional officers. She spoke to the excellence of the Police Department and reviewed the timeframe involved with the training of new recruits.

The Manager advised Council had asked during recent budget work sessions for staff to determine a source of funding for additional police officers.

Bob Bussey, residing at 3206 West Market Street, spoke to the number of vacancies in the Police Department and the manner in which these vacancies are filled, spoke to the process/timeframe involved with training new Police officers, and urged the Council to support the request for additional police officers and more frequent recruit classes.

Lucy Boette, residing at 911 Barringer Street, representing Glenwood Community Watch Neighborhood Association, spoke to the need for additional police officers in Greensboro in order to ensure adequate police coverage. She urged the Council to fund additional police officers for Greensboro.

Nettie Coad, representing the Ole Asheboro Street Neighborhood Community Development Committee, spoke to the work and expertise of this committee and requested the Council to support their funding request to enable the Committee to address neighborhood problems. (A copy of the Ole Asheboro Street Neighborhood Fact Sheet provided by Ms. Coad is filed in Exhibit Drawer M, Exhibit Number 3, which is hereby referred to and made a part of these minutes.)

Councilmember Johnson moved that the public hearing for the 1998-99 Annual Budget be closed. The motion was seconded by Councilmember Vaughan and adopted unanimously by voice vote of the Council.

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At the request of the City Manager, Councilmember Perkins moved that Item # 13, Resolution approving appraisal in the amount of \$2,500 and authorizing the sale to St. Paul Presbyterian Church of residual property created from the closing of Ontario Street and the re-routing of Chapman Street during the Coliseum Expansion Project be deleted from the agenda. The motion was seconded by Councilmember Vaughan and adopted unanimously by voice vote of the Council.

Councilmember Carmany removed Item # 12 from the Consent Agenda.

Moving to the Consent Agenda, Mayor Allen introduced the following Ordinances as required in the Greensboro Code of Ordinances:

- Ordinance amending Chapter 11 with respect to speed limits on State Highway System Streets;
- Ordinance establishing in the amount of \$33,900 Grant Project Budget for the fiscal year 1997-98 Tier I Technology Grant;
- Ordinance establishing in the amount of \$10,000 Grant Project Budget for Tannenbaum Historic Park Planning Project;
- Ordinance amending in the amount of \$59,610 the fiscal year 1997-98 Annual Budget with respect to the completion of the Aycock Neighborhood Light Installation Project; and
- Ordinance amending in the amount of \$7,900,000 the 1997-98 Annual Budget with respect to the Capital Leasing program to provide sufficient appropriations for equipment and land acquisition.

Mayor Allen requested a motion to adopt the ordinances and motions remaining on the Consent Agenda. Councilmember Vaughan moved adoption of the Consent Agenda, as amended. The motion was seconded by Councilmember Burroughs-White; the Consent Agenda,

as amended, was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, Mincello, Perkins and Vaughan. Noes: None.

98-66

AMENDING CHAPTER 16

AN ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO TRAFFIC REGULATIONS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. That Sec. 16-96 of the Greensboro Code of Ordinances is hereby amended by deleting from Schedule 2A (Speed Limits on State Highway System Streets) the following areas:

U.S. 421 (Market Street) from a point 200 feet west of Eugene Street (SR 1400) to a point 200 feet west of Davie Street 20 MPH

Friendly Avenue (US 421W) from a point 200 feet west of Eugene Street (SR 1400) to a point 200 feet east of Davie Street 20 MPH

U.S. 421 (West Market Street) from a point 0.20 mile west of Gallimore Dairy Road (SR 1555), eastward to a point 0.02 mile west of Walnut Circle 40 MPH

U.S. 421 (West Market Street) from the corporate limits of Greensboro, a point 0.10 mile east of N.C. 68, eastward to a point 0.20 mile west of Gallimore Dairy Road (SR 1555) 50 MPH

Section 2. That Sec. 16-96 of the Greensboro Code of Ordinances is hereby amended by adding to Schedule 2A (Speed Limits on State Highway System Streets) the following areas:

Market Street (SR 3841) from a point 200 feet west of Eugene Street to a point 200 feet east of Church Street, in Greensboro 20 MPH

Friendly Avenue (SR 3841) from a point 200 feet west of Eugene Street to a point 200 feet east of Church Street, in Greensboro 20 MPH

Market Street (SR 1008) from a point 0.10 mile west of Guilford College Road (SR 1546) eastward to a point 200 feet east of Church Street 40 MPH

Market Street (SR 1008) from the corporate limit
at Sandy Ridge Road (SR 1546) eastward to a point 0.02
mile west of Walnut Circle (NS) in Greensboro 45 MPH

Section 3. This ordinance is based upon an engineering and traffic investigation pursuant to authority granted by G.S. 20-141 (f) and (g) and shall become effective upon the adoption of a concurring ordinance by the North Carolina Board of Transportation adopting the speed limits so fixed herein and signs erected giving notice of the authorized speed limits.

Section 4. All ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

(Signed) Donald R. Vaughan

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98-67 ORDINANCE ESTABLISHING GRANT PROJECT BUDGET FOR THE FISCAL
YEAR 1997-98 TIER I TECHNOLOGY GRANT

Section 1. That the Grant Project Budget for the 1997-98 capital Improvement Grant be established for the life of the project as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
565-4536-01.5212	Computer Software	\$ 2,400
565-4536-01.6053	Computer Hardware	31,500
TOTAL		\$33,900

And, that this increase be financed by increasing the following revenue accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
565-4536-01.7110	State Grant	\$30,510
565-4536-01.9564	Transfer from Transit Fund	3,390
TOTAL		\$33,900

(Signed) Donald R. Vaughan

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98-69 ORDINANCE ESTABLISHING A GRANT PROJECT BUDGET FOR
TANNENBAUM HISTORIC PARK PLANNING PROJECT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That of the Grant Project Budget of the City of Greensboro is hereby amended as follows:

That an appropriation for the Tannenbaum Historic park Planning Grant be established as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5024-01-5413	Consultant Services	\$ 8,000
220-5024-01-5237	Program Supplies	2,000
TOTAL		\$10,000

and, that this grant be financed by increasing the following account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5024-01.7110	State Grant	\$10,000

(Signed) Donald R. Vaughan

.....

98-69 ORDINANCE AMENDING FY 97-98 ANNUAL BUDGET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the FY 97-98 Annual Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the Special Tax District Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
210-2001-01.5427	Contracted Construction	\$59,610

and, that this increase be financed by increasing the following Special Tax District account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
210-2001-01.8900	Appropriated Fund Balance	\$59,610

(Signed) Donald R. Vaughan

.....

Motion was unanimously adopted to approve report of Budget Adjustments covering period of March 20 to April 30, 1998. (A copy of the report is filed in Exhibit Drawer M, Exhibit Number 1, which is hereby referred to and made a part of these minutes.)

.....

Motion was unanimously adopted to approve the minutes of regular meeting of 5 May 1998.

.....

Mayor Allen introduced an Ordinance amending in the amount of \$7,900,000 the 1997-98 Annual Budget with respect to the Capital Leasing Program to provide sufficient appropriations for equipment and land acquisition which had been removed from the Consent Agenda by Councilmember Carmany.

After Councilmember Carmany reiterated her opposition to the purchase of the Brown property for Coliseum parking, Councilmember Perkins moved adoption of the ordinance. The motion was seconded by Councilmember Holliday; the ordinance was adopted on the following roll call vote: Allen, Burroughs-White, Holliday, Johnson, Jones, Mincello, Perkins and Vaughan. Noes: Carmany

98-70 ORDINANCE AMENDING THE FY 97-98 ANNUAL BUDGET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the FY 97-98 Annual Budget of the City of Greensboro is hereby amended as follows:

1: That the appropriation for the Capital Leasing Fund be increased as follows:

Description	Amount
Land	\$1,650,000
Equipment	6,250,000
Total	\$7,900,000

and that this increase be funded by increasing the following revenue account:

Description	Amount
Lease-purchase proceeds	\$7,900,000

CAPITAL LEASING FUND

FY 97-98 & FY 98-99

\$10 million

Proposed Installment Financing

Land-Coliseum Parking	\$ 1,650,000
Vehicles-Solid Waste Management	6,900,000
Communications Equipment-800 MHZ radios	450,000
Vehicles-Fire Truck & Haz-Mat vehicle	700,000
Dump Trucks & Other Heavy Equipment	300,000

TOTAL

\$10,000,000

(Signed) Robert V. Perkins

.....

Mayor Allen introduced the following order, a copy of which had been provided to each Councilmember, which was ready by title and summarized by the City Attorney:

ORDER AUTHORIZING THE ISSUANCE AND SALE OF CITY OF GREENSBORO, NORTH CAROLINA COMBINED ENTERPRISE SYSTEM REVENUE BONDS, SERIES 1998A AND SERIES 1998B, THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS RELATING THERETO AND OTHER ACTION IN CONNECTION THEREWITH

BE IT ORDERED by the City Council of the City of Greensboro, North Carolina (the “City”):

Section 1. The City Council does hereby find and determine as follows:

(a) At a regular meeting of the City Council held on April 21, 1998, the City Council, by resolution, authorizing the filing of an application with the North Carolina Local Government Commission (the “Commission”) requesting approval of the issuance of not to exceed \$40,000,000 aggregate principal amount of City of Greensboro, North Carolina Combined Enterprise System Revenue bonds, Series 1998A (the “Series 1998A Bonds”) and Series 1998B (the “Series 1998B Bonds”) and, together with the Series 1998A Bonds, the “Series 1998 Bonds”) for the purpose of providing funds, together with other available funds, to: (a) pay for the cost of certain improvements to the City’s water system and sanitary sewer system (Collectively, the “Additional Projects”), (b) pay interest on the Series 1998A Bonds until June 1, 1999 and on the Series 1998B Bonds at an assumed rate of 4.50% per annum until June 2, 1999 and (c) pay certain costs incurred in connection with the issuance of the Series 1998 Bonds.

(b) At the above-referenced meeting, the City council, by resolution, also requested the Commission to sell the Series 1998 Bonds at private sale without advertisement.

(c) The Commission, by resolution and in accordance with G.S. 159-86, has approved the application of the City for the issuance of the Series 1998 bonds in an aggregate principal amount not to exceed \$40,000,000.

(d) The Commission, by resolution, has approved the private sale without advertisement of the Series 1998 Bonds.

(e) The City has determined to issue the Series 1998 bonds in an aggregate principal amount not to exceed \$40,000,000, consisting of \$30,000,000 aggregate principal amount of Series 1998A bonds and \$10,000,000 aggregate principal amount of Series 1998B Bonds, for the purpose of providing funds, together with other available funds, to: (1) pay for the cost of the

Additional Projects, (2) pay interest on the Series 1998A Bonds until June 1, 1999 and on the Series 1998B Bonds at an assumed rate of 4.50% per annum until June 2, 1999 and (c) pay certain costs incurred in connection with the issuance of the Series 1998 Bonds.

(f) The City proposes to sell the Series 1998A Bonds to The Robinson-Humphrey company, LLC, Jackson Securities Incorporated and A. G. Edwards & sons, Inc. (the “Series 1998A Underwriters”) pursuant to the provisions of the Bond Purchase Agreement relating to the Series 1998A Bonds (the “Series 1998A Bond Purchase Agreement”), at such prices as are determined by the Commission, subject to the approval of the City. The City further proposes to sell the Series 1998B Bonds to The Robinson-Humphrey Company, LLC (the “Series 1998B Underwriter”) pursuant to the provisions of the bond Purchase Agreement relating to the Series 1998B Bonds (the “Series 1998B Bond Purchase Agreement” and, together with the Series 1998A Bond Purchase Agreement, the “Series 1998 bond Purchase Agreements”), at the price determined by the Commission, subject to the approval of the City.

(g) There have been presented to the City Council at this meeting the following documents relating to the issuance and sale of the Series 1998 Bonds:

(1) the Trust Agreement, dated as of June 1, 1995 (the “Trust Agreement”), between the City and Branch Banking and Trust Company (“BB&T”), as trustee;

(2) a draft of the Agreement of Appointment and Acceptance, dated as of May 1, 1998 (the “Appointment Agreement”) by and between the City and First-citizens Bank & Trust Company, successor to BB&T as trustee, bond registrar and tender agent (the “Trustee”);

(3) a draft of the Third Supplemental Trust Agreement, dated as of May 15, 1998 (the “Third Supplemental Agreement”), between the City and First-Citizens Bank & Trust Company, as trustee (the “Trustee”);

(4) a draft of the Fourth Supplemental Trust Agreement, dated as of May 15, 1998 (the “Fourth Supplemental Agreement”), between the City and the Trustee;

(5) a draft of the Series 1998A Bond Purchase Agreement, to be dated as of the date of execution and delivery thereof, by and among the Series 1998A Underwriters, the Commission and the City;

(6) a draft of the Series 1998B Bond Purchase Agreement, to be dated as of the date of execution and delivery thereof, by and among the Series 1998B Underwriter, the Commission and the City;

(7) the Preliminary Official Statement for the Series 1998A Bonds, dated May 12, 1998 (the “Series 1998A preliminary Official Statement”), relating to the public offering and sale of the Series 1998A Bonds, together with the Financial Feasibility Report prepared by SVBK Consulting Group, Inc. (the “Financial Feasibility Report”) to be included as Appendix B thereto;

(8) a draft of an Official Statement for the Series 1998B Bonds, to be dated as of May 26, 1998 (the “Series 1998B Official Statement”), relating to the public offering and sale of the Series 1998B Bonds, together with the Financial Feasibility Report to be included as Appendix B thereto;

(9) a draft of the Standby Purchase Agreement, dated as of May 15, 1998 (the “Standby Purchase Agreement”), between NationsBank, N.A. and the city, relating to the purchase of Series 1998B Bonds that are subject to optional or mandatory tender for purchase;

(10) a draft of the Remarketing Agreement, dated as of May 15, 1998 (the “Remarketing Agreement”), between the City and Smith Barney Inc., as Remarketing Agent, relating to the remarketing of the Series 1998B Bonds; and

(11) a draft of the Tender Agent Agreement, dated as of May 15, 1998 (the “Tender Agent Agreement”), between the City and First-Citizens Bank & Trust Company, as Tender Agent, relating to the tender for purchase of the Series 1998B Bonds.

(g) The City has determined that the issuance and sale of the Series 1998 Bonds in the manner provided in this Order is in the best interest of the City.

Section 2. Capitalized words and terms used in this Order and not defined herein shall have the same meanings given such words and terms in the Trust Agreement, the Third Supplemental Agreement and the Fourth Supplemental Agreement.

Section 3. Pursuant to the provisions of The State and Local Government Revenue Bond Act, as amended (the “Act”), the city hereby authorizes the issuance of the Series 1998 Bonds in an aggregate principal amount not to exceed \$40,000,000. The Series 1998A Bonds shall mature at such times and in such amounts as shall be set forth in the Third Supplemental Agreement, subject to the provisions of this Order. The Series 1999B Bonds shall mature at such times and in such amounts as shall be set forth in the Fourth Supplemental Agreement, subject to the provisions of this Order.

The Series 1998A Bonds shall be issued as fully registered bonds in the denominations of \$5,000 or any whole multiple thereof and shall be issued pursuant to a book-entry system as provided in the Third Supplemental Agreement. Interest on the Series 1998A Bonds shall be payable on June 1 and December 1 of each year, beginning December 1, 1998, until the principal of the Series 1998A Bonds is fully paid.

The Series 1998B Bonds shall be issued as fully registered bonds in Authorized Denominations (as defined in the Fourth Supplemental Agreement) and shall be issued pursuant to a book-entry system as provided in the fourth Supplemental Agreement. Interest on the Series 1998B Bonds shall be payable at the times and in the manner provided in the Fourth Supplemental Agreement.

Section 4. The Series 1998A Bonds shall be subject to redemption at the times, upon the terms and conditions, and at the prices as shall be set forth in the Trust Agreement and the Third

Supplemental Agreement. The Series 1998B Bonds shall be subject to redemption at the times, upon the terms and conditions, and at the prices as shall be set forth in the Trust Agreement and the Fourth Supplemental Agreement.

Section 5. The proceeds of the Series 1998A Bonds, including accrued interest, shall be applied as provided in Section 204 of the Third Supplemental Agreement. The proceeds of the Series 1998B Bonds shall be applied as provided in Section 204 of the Fourth Supplemental Agreement.

Section 6. The Series 1998 bonds, together with any Parity Indebtedness heretofore or hereafter incurred pursuant to the provisions of the Trust Agreement, shall be secured on a parity basis by a pledge, charge and lien upon the Net Receipts and the money and Investment Obligations held in the various accounts and subaccounts of the bond Fund in the manner and to the extent provided in the Trust Agreement, the Third Supplemental Agreement and the Fourth Supplemental Agreement.

Section 7. The proposal set forth in the Series 1998A Bond Purchase Agreement submitted by the Series 1998A Underwriters offering to purchase the Series 1998A Bonds at the aggregate purchase price and bearing interest at the rates determined by the Commission and approved by the City as hereinafter provided, such purchase price not to be less than 99.15% of the aggregate principal amount of the Series 1998A Bonds plus accrued interest from the date of the Series 1998A Bonds to the date of delivery of the Series 1998A Bonds, and such interest rates not to exceed an effective interest cost, after taking into account any related hedge agreements and derivative products entered into on the date of sale of the Series 1998A Bonds, of 6.25% is hereby approved. The Commission is hereby directed to sell and award the Series 1998A Bonds to the Series 1998A Underwriters on behalf of the City, subject to the approval of the City, in accordance with the terms and provisions set forth in the Series 1998A Bond Purchase Agreement. The Finance Director is hereby designated to approve on behalf of the city the sale of the Series 1998A Bonds to the Series 1998A Underwriters at such interest rates, for such purchase price and upon such terms and conditions as the Finance Director shall determine, subject to the provisions of this Section. The Finance Director is hereby authorized and directed in the name and on behalf of the City to execute and deliver the Series 1998A Bond Purchase Agreement in substantially the form presented, together with such changes, additions and deletions as the Finance Director, with the advice of counsel, may deem necessary and appropriate; such execution and delivery shall be conclusive evidence of the approval and authorization in all respects of the form and content thereof.

Section 8. The proposal set forth in the Series 1998B Bond Purchase Agreement submitted by the Series 1998B Underwriter offering to purchase the Series 1998B Bonds at the aggregate purchase price and bearing an initial rate of interest determined by the Commission and approved by the City as hereinafter provided, such purchase price not to be less than 99.15% of the aggregate principal amount of the Series 1998B Bonds, and such initial interest rate not to exceed 6% per annum, is hereby approved. The commission is hereby directed to sell and award the Series 1998B Bonds to the Series 1998B Underwriter on behalf of the City, subject to the approval of the City, in accordance with the terms and provisions set forth in the Series 1998B Bond Purchase Agreement. The Finance Director is hereby designated to approve on behalf of

the City the sale of the Series 1998B Bonds to the Series 1998B Underwriter at such initial interest rate, for such purchase price and upon such terms and conditions as the Finance Director shall determine, subject to the provisions of this Section. The Finance Director is hereby authorized and directed in the name and on behalf of the City to execute and deliver the Series 1998B Bond Purchase Agreement in substantially the form presented, together with such changes, additions and deletions as the Finance Director, with the advice of counsel, may deem necessary and appropriate; such execution and delivery shall be conclusive evidence of the approval and authorization in all respects of the form and content thereof.

Section 9. The forms, terms and provisions of the Appointment Agreement, the Third Supplemental Agreement, the Fourth Supplemental Agreement, the Standby Purchase Agreement, the Remarketing Agreement and the Tender Agent Agreement are hereby approved, and the Mayor or the City Manager and the City Clerk are hereby authorized and directed to execute the Appointment Agreement, the Third Supplemental Agreement, the Fourth Supplemental Agreement, the Standby Purchase Agreement, the Remarketing Agreement, and the Tender Agent Agreement in substantially the forms presented, together with such insertions, modifications and deletions as the Mayor or the City Manager and the city Clerk, with the advice of counsel, may deem necessary and appropriate, including, without limitation, insertions, modifications and deletions necessary to incorporate the final terms of the Series 1998 bonds as set forth in the Series 1998 bond Purchase Agreements and to incorporate certain terms and provisions required by the Rating Agencies, such execution and delivery to be conclusive evidence of the approval and authorization in all respects of the form and content thereof.

Section 10. The Series 1998A Preliminary Official Statement is hereby approved. The City hereby authorizes the use and distribution of the Series 1998A preliminary Official Statement in substantially the form presented, together with such changes, modifications and deletions as the Finance director, with advice of counsel, may deem necessary and appropriate. The City authorizes and consents to the preparation and distribution of a final Official Statement relating to the Series 1998A Bonds (the "Series 1998A Official Statement"), in substantially the form of the Series 198A Preliminary Official Statement, together with such changes as are necessary to reflect the final terms of the Series 1998A Bonds. The City Manager or the Finance Director is hereby authorized and directed to execute and deliver the Series 1998A Official Statement, in substantially the form of the Series 1998A Preliminary Official Statement, together with such changes, specifications, and deletions as the City Manager or the finance Director, with the advice of counsel, may deem necessary and appropriate; such execution and delivery shall be conclusive evidence of the approval and authorization in all respects of the form and content thereof.

Section 11. The Series 1998B official Statement is hereby approved. The City hereby authorizes the use and distribution of the Series 1998B Official Statement in substantially the form presented, together with such changes, modifications and deletions as the Finance director, with advice of counsel, may deem necessary and appropriate and such changes as are necessary to reflect the final terms of the Series 1998B Bonds. The City manager or the finance Director is hereby authorized and directed to execute and deliver the Series 1998B official Statement; such execution and delivery shall be conclusive evidence of the approval and authorization in all respects of the form and content thereof.

Section 12. The form and content of the Financial Feasibility Report is hereby approved. The City hereby finds the assumptions made in the Financial Feasibility Report, including the assumed increases in water and sewer rates, to be reasonable; provided, however, that the City shall not be obligated to put into effect the rate increases described in the Financial Feasibility Report. Potential rate increases shall be considered by the City Council from time to time in connection with the City's overall budgetary process, and rate increases will be adopted from time to time as necessary to comply with the provisions of the Trust Agreement, the Third Supplemental Agreement and the Fourth Supplemental Agreement and current policies of the City.

Section 13. The Finance Director, on behalf of the City, is hereby authorized to enter into such arrangements, from time to time, as he shall deem advisable in order to manage interest rate risk on the Series 1998B Bonds, including, but without limiting the generality of the foregoing, interest rate swaps, caps, collars and other derivative agreements.

Section 14. The Mayor, the City Manager, the Finance Director, the city Attorney and the City Clerk, or any of them or their deputies, are authorized and directed (without limitation except as may be expressly set forth in this Order) to take such action and to execute and deliver such certificates, agreements, instruments or other documents as they, with the advice of counsel, may deem necessary or appropriate to effect the transactions contemplated by this Order, the Trust Agreement, the Third Supplemental Agreement, the Fourth Supplemental Agreement, the Standby Purchase Agreement, the Remarketing Agreement, the Tender Agent Agreement, the Series 1998A Bond Purchase Agreement, the Series 1998B Bond Purchase Agreement, the Series 1998A preliminary Official Statement and the Series 1998B Official Statement.

The officers of the City and the agents and employees of the City are hereby authorized and directed to do all acts and things required of them by the provisions of this Order, the Series 1998 bonds, the Trust Agreement, the Third Supplemental Agreement, the Fourth Supplemental Agreement, the Standby Purchase Agreement, the Remarketing Agreement, the Tender Agent Agreement, the Series 1998A Bond Purchase Agreement and the Series 1998B Bond Purchase Agreement for the full, punctual and complete performance of the terms, covenants, provisions and agreements of the same.

All actions heretofore taken by the Finance Director in connection with the replacement of BB&T by First-Citizens Bank 7 Trust Company as trustee, bond registrar and tender agent with respect to any combined Enterprise System Revenue Bonds are hereby ratified and confirmed.

Section 15. The issuance and sale of the Series 1998 bonds is hereby approved subject to the terms and conditions set forth in this Order.

Section 16. This Order shall take effect immediately upon its passage.

Thereupon the city Attorney stated that he had approved as to form the foregoing order.

Upon motion of Councilmember Johnson seconded by Councilmember Carmany, the foregoing order entitled:

“ORDER AUTHORIZING THE ISSUANCE AND SALE OF CITY OF GREENSBORO, NORTH CAROLINA COMBINED ENTERPRISE SYSTEM REVENUE BONDS, SERIES 1998A AND SERIES 1998B, THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS RELATING THERETO AND OTHER ACTION IN CONNECTION THEREWITH” was passed on roll call vote as follows:

Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, Mincello, Perkins and Vaughan. Noes: None.

The Mayor thereupon announced that the order entitled: “ORDER AUTHORIZING THE ISSUANCE AND SALE OF CITY OF GREENSBORO, NORTH CAROLINA COMBINED ENTERPRISE SYSTEM REVENUE BONDS, SERIES 1998A AND SERIES 1998B, THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS RELATING THERETO AND OTHER ACTION IN CONNECTION THEREWITH” had passed by a vote of 9 to 0.

.....

The Mayor introduced an ordinance establishing in the amount of \$2,600 Grant Project Budget for the Community Emergency Response Team.

Council briefly discussed with Mona Edwards, Assistant City Manager, the feasibility of notifying neighborhoods about this program and to request participation. Ms. Edwards advised that this grant project was a pilot program for 2-3 neighborhoods to begin this process and that the City was not presently equipped to address additional programs at this time.

Councilmember Carmany moved adoption of the resolution. The motion was seconded by Councilmember Holliday; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, Mincello, Perkins and Vaughan. Noes: None.

98-71 ORDINANCE ESTABLISHING A GRANT PROJECT BUDGET FOR THE
COMMUNITY EMERGENCY RESPONSE TEAM (CERT)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That of the Grant Project Budget of the City of Greensboro is hereby amended as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-4103-01-5214	Office Equipment/Furniture	\$ 600
220-4102-01.5520	Seminar/Training Expenses	\$2,000
TOTAL		\$2,600

and, that this grant be financed by increasing the following account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-4102-01.7110	State Grant	\$2,600

(Signed) Sandy Carmany

.....

Mayor Allen introduced a resolution establishing Policy for Extension of Water and Sewer Lines outside the City.

After brief discussion, Councilmember Perkins moved adoption of the resolution. The motion was seconded by Councilmember Burroughs-White; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, Mincello, Perkins and Vaughan. Noes: None.

111-98

RESOLUTION ESTABLISHING POLICY FOR EXTENSION OF WATER AND SEWER LINES OUTSIDE THE CITY

WHEREAS, the City is currently facing several critical issues in providing water and sewer service;

WHEREAS, due to the pending construction of Randleman Dam and the construction delays to the expansion project at the Osborne Water Reclamation Plant, the City is required to temporarily limit extensions to our water and sewer system;

WHEREAS, as a result of the above mentioned issues, it is necessary to amend our policy of allowing unlimited expansion of our utility systems outside of Greensboro city limits;

WHEREAS, it is deemed in the best interest of the City to adopt a policy establishing revised criteria for extension of water and sewer lines.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF GREENSBORO:

1. That the attached policy is hereby adopted establishing criteria for the extension of water and sewer services outside of Greensboro city limits.
2. That this policy shall become immediately effective upon adoption of this resolution.

(Signed) Robert V. Perkins

.....

After the introduction by Mayor Allen of a resolution approving bid in the amount of \$293,255 and authorizing contract with GE Team Controls for Water System SCADA Improvements, Councilmember Johnson moved adoption of the resolution. The motion was seconded by Councilmember Perkins; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, Mincello, Perkins and Vaughan. Noes: None.

112-98

RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF
CONTRACT NO. 1998-12 FOR LAKE TOWNSEND SCADA IMPROVEMENTS

WHEREAS, after due notice, bids have been received for Lake Townsend SCADA Improvements;

WHEREAS, GE Team Controls, a responsible bidder, has submitted the low base bid in the total amount of \$293,255.00, which bid in the opinion of the City Council, is the best bid from the standpoint of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by GE Team Controls is hereby accepted, and the Mayor and city Clerk are hereby authorized to execute effect, payment to be made from Account No. 501-7023-01.6059.

(Signed) Yvonne J. Johnson

.....

After Mayor Allen introduced an Ordinance amending Chapter 16 with respect to Motor Vehicles and Traffic with regard to Loading Zones, Councilmember Carmany moved its adoption. The motion was seconded by Councilmember Jones; the ordinance was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, Mincello, Perkins and Vaughan. Noes: None.

98-72 AMENDING CHAPTER 16

AN ORDINANCE AMENDING CHAPTER 16 OF THE GREENSBORO CODE OF
ORDINANCES WITH RESPECT TO MOTOR VEHICLES AND TRAFFIC

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. That Chapter 16, Section 16-146 of the Greensboro Code of Ordinances is hereby amended by rewriting said section to read as follows:

“Section 16-146. Commercial Loading Areas.

- (a) The areas designated in the official traffic records by the legend F-1, F-2, F-3 or F-12 are established as commercial loading areas during the hours indicated:

F-1, Loading Zone, 6:00 a.m. to 6:00 p.m.

F-2, Loading Zone, 6:00 a.m. to 12:00 p.m.

F-3, Loading Zone, 6:00 a.m. to 4:00 p.m.

F-12, Loading Zone, 9:00 a.m. to 4:00 p.m.

- (b) There shall be a civil citation issued for any vehicle to park in said areas over the allowed time set forth below. A vehicle which has displayed a non-commercial license plate may remain therein only while there is loading, or unloading from the vehicle within intervals of thirty (30) minutes. A vehicle which has displayed a commercial license plate may remain therein only while there is loading, or unloading from the vehicle within intervals of sixty (60) minutes. A passenger vehicle may stop temporarily in a commercial loading zone while receiving or discharging passengers.”

Section 2. That all ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 3. That this ordinance shall become effective immediately upon adoption.

(Signed) Sandy Carmany

.....

Councilmember Mincello moved that R. Cameron Cooke be appointed to the Board of Adjustment to fill unexpired portion of term of Robert J. Grill, resigned; this term will expire 15 June 1998. The motion was seconded by Councilmember Vaughan and adopted unanimously by voice vote of the Council.

.....

Councilmember Perkins stated that the subject of radar traffic control systems had been discussed last year; however, Greensboro had not at that time had the legislative authority to pursue this effort. He spoke to Charlotte's receipt of legislative approval to use this system at stop signs, traffic signals, etc.; to its successful use in Europe; and advised the resolution he would propose would only ensure that Greensboro would have the authority to implement this procedure if appropriate.

After brief discussion with respect to concerns and opinions; i.e., fiscal impact on the City, privacy concern, etc., Councilmember Perkins moved adoption of a Resolution requesting

the Guilford County Legislative Delegation to seek a local act for the City of Greensboro to authorize the use of Photographic Images as Prima Facie evidence of certain traffic violations. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Ayes: Allen, Carmany, Johnson, Jones, Mincello, and Perkins. Noes: Burroughs-White, Holliday and Vaughan.

113-98

**RESOLUTION REQUESTING THE GUILFORD COUNTY LEGISLATIVE
DELEGATION TO SEEK A LOCAL ACT FOR THE CITY OF GREENSBORO TO
AUTHORIZE THE USE OF PHOTOGRAPHIC IMAGES AS PRIMA FACIE
EVIDENCE OF CERTAIN TRAFFIC VIOLATIONS**

WHEREAS, a traffic control photographic system is an electronic system consisting of a photographic, video or electronic camera and a vehicle sensor installed to work in conjunction with an official traffic control device to automatically produce photographs, video or digital images of each vehicles violating a standard traffic control statute or ordinance;

WHEREAS, such traffic control systems have been used on a pilot basis in several states including Texas and Oregon;

WHEREAS, in 1997 the General Assembly enacted a local act to permit the City of Charlotte to use this method for the purpose of determining traffic violations for running stop signs, red lights and caution lights;

WHEREAS, under the Charlotte Act, a violation shall be deemed a non-criminal violation for which a civil penalty of \$50.00 shall be assessed and for which no points shall be assigned to the owner or driver of the vehicle for insurance purposes;

WHEREAS, use of traffic control photographic systems can be a deterrent for traffic violations and encourage better safety measures by drivers of vehicles;

WHEREAS, in addition to violations of control signs and signals, traffic control photographic systems can be useful to enforce speed limits on narrow city-owned residential streets.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF GREENSBORO:**

That the Guilford County Legislative Delegation is hereby requested to introduce a local bill for the City of Greensboro to authorize the use of photographic images as prima facie evidence of traffic violations as it pertains to vehicle control signs and signals and speed limits on City streets in neighborhood areas; provided that, such violations shall be non-criminal for which a civil penalty may be assessed and for which no points shall be assigned for insurance purposes.

(Signed) Robert V. Perkins

.....

Councilmember Holliday added the name of Elizabeth B. Stauffer to the boards and commissions data bank for possible future service on the Library Board.

.....

Mayor Allen spoke to her attendance at the Stennis Center sponsored 1998 Southern Women in Public Service: Coming Together To Make A Difference Conference and to the excellence of the program and speakers.

.....

The Manager advised that the air conditioning in the Melvin Municipal Office Building would be off on Thursday and Friday due to the replacement of the chiller.

.....

At the request of the City Manager, Councilmember Jones moved that the City Council adjourn to meet in Closed Session on Thursday, May 21, 1998, at 12 noon in the Council's Office in the Melvin Municipal Office Building for the purpose of discussing legal claims. The motion was seconded by Councilmember Carmany and adopted unanimously by voice vote of the Council.

THE CITY COUNCIL ADJOURNED AT 12:20 A.M.

JUANITA F. COOPER
CITY CLERK

CAROLYN S. ALLEN
MAYOR
